

### Remarks

By entry of this amendment, claims 1-7, 9-10, 12-32, 36 and 39-63 are pending in the application. Claims 1, 23, 36, 44, 52, 54 and 56 have been amended. Support for the new claim amendments can be found at least at ¶ 28 of Applicant's published application. No new matter has been added. In view of the foregoing amendments and following remarks, Applicant respectfully requests reconsideration and allowance of the application.

### Substance of Interview

A telephonic Examiner Interview was held on October 3, 2008 with Examiner Phuong and the undersigned. In response to Applicant's proposed claim amendment to independent claim 1, Examiner Phuong indicated to the undersigned that the proposed claim amendment would overcome the applied prior art of record. The scope of network-based communication services was also briefly discussed with no agreement reached. In addition to the preceding remarks, the substance of the interview is incorporated into the remarks in response to the specific claim rejections. Accordingly, a separate submission providing the substance of the Examiner interview is not required.

### Claim Rejections under 35 U.S.C. §103

Claims 1-2, 9-10, 12-19, 21-24, 28-31, 33, 36, 42-46 and 50-57 stand rejected under 35 USC 103(a) as being unpatentable over Lunsford *et al.* (U.S. Publication No. 2002/0065041) in view of Kubo *et al.* (U.S. Publication No. 2004/0067784) and further in view of Okuyama (U.S. Publication No. 2001/0044302) and further in view of Lee *et al.* (U.S. Patent No. 6,216,017). Claim 33 has been previously canceled.

Independent claim 1 recites, *inter alia*:

transmitting the dialing signal from the remote control device toward the mobile communication device based on the dialing request, wherein the dialing signal includes a telephone number associated with the network-based communication service **and a program call;**

**in response to receiving the program call, the mobile communication device activates a software program that performs an update check of the telephone number associated with the network-based communication service included in the dialing signal;**

establishing communications between the mobile communication device and the network-based communication service **based on the result of the update check;**

Claims 23, 52 and 54 recite similar language. As agreed in the Examiner interview, Lunsford, Kubo, Okuyama or Lee, either individually or in combination, do not disclose a dialing signal including a program call, a mobile communication device that activates a software program to perform an update check, or establishing communications based on the results of the update check. Accordingly, claims 1, 23, 52 and 54 define over the applied art. Claims 2-7, 9, 10, 12-22, 24-32, 53 and 55 depend from claims 1, 23, 52 and 54, respectively, and also define over the applied prior art.

Independent claim 36 recites, *inter alia*:

A remote control device comprising:

a user interface having an access button that is dedicated to generating a dialing request to transmit a dialing signal to a mobile communication device, wherein the dialing signal includes a telephone number associated with a network-based communication service and **a signal to activate a software program that causes the mobile communication device to perform an update check of the telephone number associated with the network-based communication service**, wherein the telephone number is stored to a memory of the remote control device based on input from a provider of the network-based communication service;

The Office asserts at page 10 of the Office Action that the same rejection made with respect to claim 1 applies to claim 36. However, claim 36 recites details of a user interface for a remote control device that are neither suggested nor disclosed by the applied prior art. The Office asserts that Kubo, Okuyama and Lee disclose remote control devices.

However, none of the cited references disclose or suggest a remote control device that produces a dialing including a telephone number associated with a network based communication service and a signal to activate a software program to perform an update check as recited in claim 36. Applicant respectfully submits that Lunsford, Kubo, Okuyama and Lee, either individually or in combination, do not disclose or suggest all of the features recited in Applicant's independent claim 36. Accordingly, claim 36 defines over the applied prior art. As for claims 42 and 43, these claims depend from claim 36, and also define over the applied prior art.

Independent claim 44 recites, *inter alia*:

A mobile communication device comprising:

a phone communication module, the phone communication module to receive, from a remote control device, a dialing signal that is based on an operation of a user interface having a dedicated control of the remote control device, the dedicated control dedicated to generating a dialing request to transmit the dialing signal to the mobile communication device, wherein the dialing signal includes a telephone number associated with a network-based communication service **and a signal to activate a software program**, wherein the telephone number is stored to a memory of the remote control device based on input from a provider of the network-based communication service and the phone communication module to receive audio input to a microphone at the remote control device;

**a processor configured to execute the software program, the software program functioning cause the processor to:**  
**perform an update check of the telephone number associated with the network-based communication service by causing the wireless transceiver to access the network-based communication service to confirm the telephone number associated with the network-based communication service.**

The Office asserts at page 10 of the Office Action that the same rejection made with respect to claim 1 applies to claim 44. However, claim 44 recites details of a mobile communication device that are neither suggested nor disclosed by the applied prior art. The Office asserts that Lunsford discloses a mobile communication device. However, the telephone 14 of Lunsford does not disclose or suggest a processor configured to perform the above claimed update check, and Kubo, Okuyama and Lee do not overcome this deficiency.

Applicant respectfully submits that Lunsford, Kubo, Okuyama and Lee, either individually or in combination, do not disclose or suggest all of the features recited in Applicant's independent claim 44. Accordingly, claim 44 defines over the applied prior art. As for claims 45, 46, 50, 51, , these claims depend from claim 44, and also define over the applied prior art.

Independent claim 56 recites, *inter alia*:

A method of providing a network-based communication service comprising:

in response to the call from the mobile communication device,  
**returning to the mobile communication device an updated telephone number associated with the network-based communication service;**  
**accessing, by the mobile communication device, the network-based communication service using the updated telephone number associated with the network-based communication service;**

The Office asserts at page 10 of the Office Action that the same rejection made with respect to claim 1 applies to claim 56. However, claim 56 recites details of a network-based communication service that are neither suggested nor disclosed by the applied prior art. The Office does not identify which of the applied prior art disclosed a network-based communication service that performs the claimed process.

Applicant respectfully submits that none of the applied prior art discloses or suggests a network-based communication service that returns an updated telephone number associated with the network-based communication service or that allows access based on the updated telephone number as recited in the above highlighted claim language.

Applicant respectfully submits that Lunsford, Kubo, Okuyama and Lee, either individually or in combination, do not disclose or suggest all of the features recited in Applicant's independent claim 56. Accordingly, claim 56 defines over the applied prior art. Claim 57 depends from claim 56, and also defines over the applied prior art.

Claims 3-5, 25-27, 39-41, 47-49 and 58-61 are rejected under 35 USC 103(a) as being unpatentable over Lunsford *et al.* (U.S. Publication No. 2002/0065041) in view of Kubo *et al.* (U.S. Publication No. 2004/0067784) and further in view of Okuyama (U.S. Publication No. 2001/0044302) and further in view of Lee *et al.* (U.S. Patent No. 6,216,017) and further in view of Holt *et al.* (U.S. Publication No. 2005/00113074).

Claims 3-5, 25-27, 39-41, 47-49 and 58-61 depend respectively from independent claims 1, 23, 36, 44 and 56. Holt is cited for its disclosure of a voice-controlled service that enables a user to retrieve information from a server. Holt does not overcome, nor is it ~~assert~~ asserted to overcome, the deficiencies of Lunsford, Kubo, Okuyama and Lee as explained above with respect to the independent claims.

Applicant respectfully submits that Lunsford, Kubo, Okuyama, Lee and Holt, either individually or in combination, do not disclose or suggest all of the features recited in Applicant's claims 3-5, 25-27, 39-41, 47-49 and 58-61.

Claims 6-7 and 62-63 are rejected under 35 USC 103(a) as being unpatentable over Lunsford *et al.* (U.S. Publication No. 2002/0065041) in view of Kubo *et al.* (U.S. Publication No. 2004/0067784) and further in view of Okuyama (U.S. Publication No. 2001/0044302) and further in view of Lee *et al.* (U.S. Patent No. 6,216,017) and further in view of Holt *et al.* (U.S.

Publication No. 2005/0113074) and further in view of Cheung (U.S. Publication No. 2004/0024647).

Claims 6, 7, 62 and 63 depend respectively from independent claims 1 and 56. Cheung is cited for its disclosure of a communication service providing automatic playback of a prerecorded message. Cheung does not overcome, nor is it asserted to overcome, the deficiencies of Lunsford, Kubo, Okuyama, Lee and Holt as explained above.

Applicant respectfully submits that Lunsford, Kubo, Okuyama, Lee, Holt and Cheung, either individually or in combination, do not disclose or suggest all of the features recited in Applicant's claims 6, 7, 62 and 63.

Claims 20 and 32 are rejected under 35 USC 103(a) as being unpatentable over Lunsford *et al.* (U.S. Publication No. 2002/0065041) in view of Kubo *et al.* (U.S. Publication No. 2004/0067784) and further in view of Okuyama (U.S. Publication No. 2001/0044302) and further in view of Lee *et al.* (U.S. Patent 6,216,017) and further in view of Kumar *et al.* (U.S. Publication No. 2003/0081758).

Claims 20 and 32 depend respectively from independent claims 1 and 56. Kumar is cited for its disclosure of a transmitting a dialing signal over a wired connection. Kumar does not overcome, nor is it asserted to overcome, the deficiencies of Lunsford, Kubo, Okuyama and Lee as explained above.

Applicant respectfully submits that Lunsford, Kubo, Okuyama, Lee and Kumar, either individually or in combination, do not disclose or suggest all of the features recited in Applicant's claims 20 and 32.

**CONCLUSION**

Applicant respectfully submits that, for at least the reasons discussed above, the claims define over the prior art. Accordingly, the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4226 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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